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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Tobler, et al.**

Serial No.: **10/708,146**

Filed: **February 11, 2004**

For: **A System and Method for
Monitoring Facility Data**

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Group Art Unit: **Unknown**

Examiner: **Unknown**

Attorney Docket No.: **LEDS.00153**

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 31, 2005.

By:


Stephen R. Loe

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Fee Transmittal
- Request to File Late Declaration;
- One Declaration (Nine (9) Sheets); and
- Our return postcard.

A fee of \$130.00 is believed to be due for late filing of the declaration. Please charge this fee to **Deposit Account 05-0765**. No other fees are believed to be required, but any other fees necessary in order to enter Mr. LePard's declaration into the record are authorized and may be charged to **Deposit Account 05-0765**. However, no other fees, other than those enumerated, may be charged to this account.

Respectfully submitted,


Stephen R. Loe

Registration No. 43,757

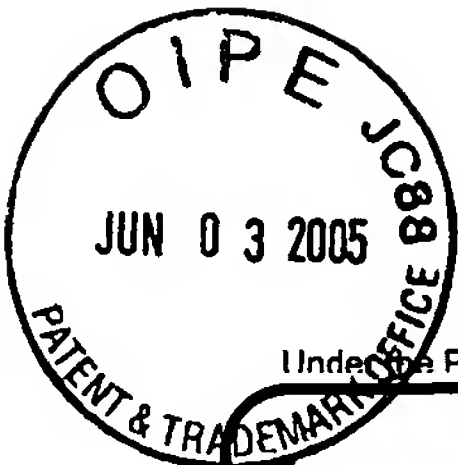
The Law Office of Stephen R. Loe

P.O. Box 649

Frisco, Texas 75034

(972) 712-4881

ATTORNEY FOR APPLICANT



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
130

Complete if Known

Application Number	10/708,146
Filing Date	February 11, 2004
First Named Inventor	Tobler, et al.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	LEDS.00153

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 05-0765 Deposit Account Name: Electronic Data Systems

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
- 20 or HP =	x	=		Fee (\$)	Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fees Paid (\$)
Other (e.g., late filing surcharge): <u>Late Filed Declaration</u>	\$130.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 43,757	Telephone 972-712-4881
Name (Print/Type)	Stephen R. Loe	Date May 31, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

06/03/2005 SSESHE1 00000027 050765 10708146

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

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REQUEST TO FILE LATE DECLARATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Tyson Foods, Inc. filed a patent application for an invention entitled "A System and Method for Monitoring Facility Data" for which Mr. Charles V. LePard is at least a co-inventor. Mr. LePard was not aware of the original filing and is not an employee of Tyson Foods, Inc. However, Mr. LePard now wishes to join the other inventors and his signed declaration is enclosed.

A fee of \$130.00 is due at this time for late filing of the declaration. Please charge this fees to **Deposit Account No. 05-0765**. No additional fees are believed to be necessary at this time. However, in the event that any additional fees are required in order to accept the declaration of Mr. Charles V. LePard, please charge any necessary fees to Electronic Data Systems Corporation **Deposit Account No. 05-0765**. No other fees are authorized to be charged to this account.

The mailing address for The Law Office of Stephen R. Loe should only be used in conjunction with correspondence related to the acceptance or denial of the declaration for Mr. Charles V. LePard. All other correspondence should be addressed to the attorney(s) of record.

Respectfully submitted,



Stephen R. Loe

Registration No. 43,757

The Law Office of Stephen R. Loe

P.O. Box 649

Frisco, Texas 75034

(972) 712-4881

ATTORNEY FOR APPLICANT